

REMARKS/ARGUMENTS

Claims 1-19 remain in the application. Claims 1-10 and 12-19 stand rejected. Claim 11 stands as objected to. Claims 1 and 11 have been withdrawn. Claims 2-10 and 12-19 have been amended but such amendments introduce no new matter and have not been amended to distinguish the claims from any reference. No other claims have been amended. Claims 20 and 21 have been added.

1. Objection to claim 11

The Examiner objected to claim 11 for reciting “a map structure” as opposed to “said map structure” so as to relate to the map structure recited in claim 2. Claim 11 has been withdrawn.

2. Rejection of Claims 1-10 and 19 Under 35 USC 101

The Examiner rejected claims 1-10 and 19 under 35 USC 101, urging that the claims do not positively recite that the graphical user interface is displayed on a display screen but merely that it is “displayable” on a display screen. Applicants believe claims 1-10 and 19 to be allowable under 35 USC 101 as previously presented. However, applicants have withdrawn claims 1 and 11. Claims 20 and 21 have been added. Claims 2-10 and 12-19 have been amended to depend from with claim 20 or claim 21.

3. Rejection of Claims 1 and 11 Under 35 USC 102(b)

Claims 1 and 11 stand rejected under 35 USC 102(b) as being anticipated by Brandau, et al. (U.S. Patent No. 6,111,561) (hereinafter “Brandau”). The applicants respectfully disagree with the Examiner’s rejections. However, claims 1 and 11 have been withdrawn from consideration.

4. New claims 20 and 21

New claim 20 is an independent claim that relates to a system having a display, a user interface, and a computer readable medium. The computer readable medium includes computer code for receiving data generated by one or more tests on at least one device. Computer code is further provided for displaying a high-level map structure panel on the display that includes a map structure, which relates to said data, on a first image scale. Additional computer code

displays a panning window on the display that is movable from a first position in the high-level map structure panel to a second position in the high-level map structure panel by way of a continuous panning motion from the first position to the second position to select a sub-portion of said displayed map structure. Computer code is further provided for displaying a detailed sub-structure panel on the display. The detailed sub-structure displays the selected sub-portion of the map structure on a second image scale, which is greater than said first image scale. Claim 21 is an independent claim that recites methodological steps for testing a device and displaying the test results in a manner that incorporates many of the novel elements of claim 20. This combination of elements and methodological steps is not taught or otherwise suggested within the relevant art. As such claims 20 and 21 are believed to be patentably distinct from the prior art as the Chan reference fails to teach test flow systems and methods as claimed.

Rejection of Claims 2-10 and 12-19 Under 35 USC 103(a)

Claims 2-10 and 12-19 stand rejected under 35 USC 103(a) as being anticipated by Brandau, et al. in view of U.S. Patent Publication No. 2004/0006425 A1 (hereinafter "Wood"). The applicants respectfully disagree with the Examiner's rejections. However, claims 2-10 and 12-19 have been amended to depend from either claim 20 or claim 21, which are believed to be allowable over the prior art. Accordingly, claims 2-10 and 12-19 are believed to be allowable for at least the reasons identified with respect to claims 20 and 21.

Claim 2 further specifically recites "a graphical switch that allows said panning window interface to be activated or inactivated." Wood simply teaches a panning function that enables a user to pan the entire displayed map in variable directions. No separate panning window is disclosed within Wood. Accordingly, while the panning function in Wood may be turned on and off, it is not conceivable that a person of skill in the art would look to Wood to modify the teachings of Brandau on any objective basis. Wood teaches that the panning function is turned on and off to enable other functions, such as zoom in and zoom out. Brandau is static in this regard, teaching only a multi-panel system, whereby one panel is continuously in pan mode to serve the primary function of the Bandau system. Accordingly, to deactivate the Brandau panning function would be to render the system inoperative for its intended purpose. Accordingly, the combined teachings of the references cannot render claim 2 obvious.

Claim 2 has been amended for the purposes of clarifying one aspect of the activation/inactivation switch, “whereby inactivation of said panning window interface removes said panning window from said display and enlarges said high-level map structure panel.” No such specific functionality or combination of elements is suggested or otherwise disclosed within the art, as the Examiner seems to suggest. Some of the advantages of such a functionality is to enlarge a coverage area of the high-level map structure or provide a measured increase in detail displayed therein. (Page 17, lines 24-33; page 18, lines 1, 2).

Claim 3 further recites that the panning window interface includes a search and highlight function that allows “input of a search criteria” and highlights elements in the map structure displayed in the high-level map structure panel that meet the input search criteria. This option is not disclosed or otherwise suggested within the cited references. To be sure, Wood simply teaches the use of a menu that is populated with predetermined criteria, which may be selected by a user for highlighting by the system. No search criteria is specifically “input” into the Wood search engine. In order to clarify this limitation, applicants have amended claim 3 to specifically include the limitation that the search criteria is input “in a data entry manner and not solely from a predetermined menu of searchable criteria.” The prior art fail to teach this option, let alone the combination of elements that claim 3 encompass. Claims 4-6 depend from claim 3 and are believed to be allowable for at least the reasons identified herein with respect to claim 3.

Claim 12 includes limitations relative to those identified within claim 3 and is likewise believed to be allowable over the cited art for at least similar reasons. Claims 23 and 14 depend from claim 12 and are believed to be allowable for at least the reasons identified herein with respect to claim 12.

Claims 18 and 19 both further include the limitation that the continuous panning motion comprises a “drag-and-drop action.” The Examiner notes that Brandau fails to teach such a function but urges that Wood does teach “drag and drop” functionality. This is not accurate. Wood, as discussed previously teaches a single windo map that may be selectively paned in variable directions. Paragraph 0039 of Wood, identified by the Examiner, teaches movement “moving a cursor” and “defining a first location and a second location.” However, nothing is actually dragged or dropped from one location to a second location. Wood teaches nothing that can be moved or dropped. Claims 18 and 19 identify a panning window movement by “drop and

drag" methodology, a combination of elements heretofore unrealized in the relevant art. As such claims, 18 and 19 are believed to be allowable.

A prima facie case of obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art. In re Kotzab, 217 F.3d 1368 (Fed. Cir. 2000). Courts and patent examiners should determine whether needs and problems known in the field and addressed by the prior art references can provide a reason for combining the elements in the manner claimed. KSR Intern. Co. v. Teleflex, Inc., No. 04-1350, 2007 WWL 1237837, at 4 (April 30, 2007). "In formulating a rejection under 35 USC § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed." Memo on KSR Decision to Examiners issued by the United States Patent and Trademark Office, May 4, 2007. The prior art is not sufficient to establish obviousness without some objective reason to combine the teachings of the references. In re Kotzab, 217 F.3d 1368 (Fed. Cir. 2000), see also In re Sang Su Lee, 277 F.3d 1338 (Fed. Cir. 2002). Claims 2-10 and 12-19 include elements, and combinations of elements not disclosed or otherwise suggested within the prior art. As such, claims 2-10 and 12-19 are believed to be allowable.

2. Conclusion

The undersigned respectfully submits that all of the pending claims are allowable and the application is in condition for allowance. A Notice of Allowance is respectfully solicited.

Respectfully submitted,
Holland & Hart, LLP

By: s/Shane M. Niebergall
Shane M. Niebergall
Reg. No. 44,974
Tel: (303) 295-8034